

January 14, 2002

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Reflecting input from Drs. Anderson and Glaze

**U.S. ENVIRONMENTAL PROTECTION AGENCY
SAB EXECUTIVE COMMITTEE
TELEPHONE CONFERENCE CALL MEETING
CONFERENCE ROOM 6013, ARIEL RIOS
January 11, 2002**

ACTIONS

ACTION 1: The Executive Committee approved the Environmental Economics's (EEAC) "*Importance of Maintaining the Annual Pollution Abatement and Cost Expenditures (PACE) Survey: An SAB Commentary*", subject to modest editorial changes discussed at the meeting. The edited report will be transmitted to the Administrator without further review by the EC.

AGREEMENTS

AGREEMENT 1: The Executive Committee endorsed, with comment, the PPS's Flow Diagram and draft outline of the Panel Formation Manual.

AGREEMENT 2: The Executive Committee agreed to the following regarding the A450:

- 1) All SAB M/Cs will submit an A-450 form in the fall.
- 2) Any non-SAB M/C being selected for the Short List will be recruited as an SAB Consultant and sent an A-450 at that time.
- 3) Any SAB M/C being selected for the Short List will be sent an abbreviated A-450 form that focuses on a) the topic for the review and b) the type of questions included in Part 8 of the draft A-450, providing guidance that
 - a) Emphasizes the importance of the information
 - b) Provides some examples of areas in which a conflict-of-interest might exist.
 - c) Encourages discussion with SAB Staff on any aspects that raise questions or are unclear in the candidate's mind.

INSTRUCTIONS

INSTRUCTION 1: Dr. Anderson instructed EC members to submit suggestions to the PPS for criteria for selecting Short List candidates from the WIDECast list.

INSTRUCTION 2: The Executive Committee instructed the PPS to use percentages and thresholds (>\$2500, >5%), rather than absolute amounts and ranges in the A-450.

INSTRUCTION 3: The Chair asked Dr. Trussell to submit suggested language that would address employees of consulting firms.

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I. Attendees

MEMBERS

Present on line:

Dr. William Glaze, Chair
Dr. Henry Anderson
Dr. Kenneth Cummins
Dr. Linda Greer
Dr. Dominic Grasso
Dr. Philip Hopke
Dr. Janet Johnson
Dr. Roger Kasperperson
Dr. Granger Morgan
Dr. Ken Sexton
Dr. William Smith
Dr. Robert Stavins
Dr. Rhodes Trussell
Dr. Terry Young

Other persons who identified themselves on the line

Mr. Randy Becker, U.S. Census Bureau
Ms. Marcie Francis
Ms. Cheryl Hogue, American Chemical Society
Mr. Al McGartland, USEPA
Ms. Pat Phibbs, Bureau of National Affairs
Ms. Stephanie Sanzone, USEPA
Mr. Neal Shaw, Risk Policy Report

Designated Federal Officer

Dr. Donald G. Barnes

Others present in the room are identified on the sign-in sheets (Attachment A)

II. Agenda (Attachment B)

III. Convene the meeting

Dr. Glaze convened the meeting at 11:10 AM EST from his temporary quarters in Karlsruhe, Germany.

Dr. Fowle invited EC members to contribute comments that they felt might be useful in evaluating Staff performance. He went on to announce that he had accepted a position at the EPA National Health and Environmental Effects Laboratory centered in Research Triangle Park, NC. He will be devoting full time to that effort in March, following the RSAC meeting and associated Congressional hearings on the Agency's science budget request. He noted that his experience had been among the most rewarding of his professional career and that he counted it a privilege to serve such an outstanding group as the many SAB M/Cs. Dr. Glaze gave voice to the generalized moans from the EC members when he said that Jack would be missed. Dr. Barnes echoed the sentiment, reflecting that he and the Staff would experience that feeling even more keenly, noting the valuable contributions that Jack has made to the Board and the Staff.

IV. Review reports from SAB Committees

A. Consideration of the Environmental Economics's (EEAC) draft "Importance of Maintaining the Annual Pollution Abatement and Control [sic] Expenditures (PACE) Survey: An SAB Commentary" (Attachment C)

Dr. Stavins, EEAC Chair, introduced the Commentary. He went to discuss how he had addressed the written comments of Dr. Cummins (Attachment D) and Dr. Grasso (Attachment E). They were satisfied with the changes/explanations that were given.

Dr. Morgan expressed comfort with the current draft but made to additional suggestions:

1. Clarify the reasoning for preferring annual vs. bi-annual reporting
2. Provide an admonition against making such wholesale changes in the survey that the meaning of the time trends would be lost.

Dr. Johnson sent some editorial suggestions to Dr. Barnes (Attachment F).

Dr. Young received clarification about the need for considering any alternative: Budgetary constraints.

Dr. Smith suggested that another sentence be added to clarify the value that can come from multi-Agency participation.

Mr. Randy Becker of the U.S Census Bureau provided some factual corrections:

1. The title of the draft should refer to "Cost", not "Control"
2. The time for consideration for the FY02 budget has passed.
3. The estimated private sector costs for the issues under discussion in the Commentary are \$40B, not \$200B.

ACTION 1: The Executive Committee (EC) approved the Environmental Economics's (EEAC) *"Importance of Maintaining the Annual Pollution Abatement and Cost Expenditures (PACE) Survey: An SAB Commentary"*, subject to modest editorial changes discussed at the meeting. The edited report will be transmitted to the Administrator without further review by the EC.

B. Update report from the Policies and Procedures Subcommittee (PPS)

1. The Flow Diagram and associated draft outline for the Panel Formation Manual.

Dr. Anderson, PPS Chair, walked the EC through the flow diagram (Attachment G), the tabled presentation (Attachment H), the associated draft outline of the manual (Attachment I), and the draft checklist (Attachment J).

Among the comments made during the discussion were the following:

a. Scientific expertise should be the fundamental criterion for selection, not "address".

b. Selection criteria

- 1) There should be some sort of criteria for going from the WIDECAST to the Short List.
- 2) These criteria should be qualitative and written down.
- 3) The 5 criteria in the Table are good for individuals, but we need a short list of criteria when considering the appropriate balance among those individuals.
- 4) The written description of the process would reference "expert judgment, reflecting an understanding and appreciation of such factors as..."
- 5) Expertise (depth for the individual and breadth for the Panel), interest, and availability would be some of the criteria, where "breadth" refers to "all major intellectual perspectives"
- 6) It is possible that, in some cases, there could be many individuals who meet the criteria. In such cases, the DFO, the Staff Director, and the Panel Chair will have to make the call on some basis. For example, they might simply call qualified members of the WIDECAST until such time they have enlisted the number of experts needed for a Short List. The Agency (with the Staff Director as the agent) has the discretion to make the final selection from among those who are qualified, and, if an appropriate procedure has been followed, people will accept the selection.
- 7) In making the selection, those selecting must consciously ask themselves if all relevant intellectual perspectives and domains of knowledge are represented on the Panel.
- 8) There is the possibility that a nominator might question why his/her candidate was not among those on the Short List. An appropriate answer would have to be couched in fact (e.g., the candidate was not interested, etc.), in terms of a clearly articulated and rigorously followed process, and in terms of exercising delegated judgment responsibly.

INSTRUCTION 1: Dr. Anderson instructed EC members to submit to the PPS suggestions for criteria for selecting Short List candidates from the WIDECAST list.

- c. When a review is being conducted by a Standing Committee, those Members are "givens" to be participants in the review. Their biosketches can/should be displayed for the public, at the same time as the biosketches of the candidates for any "extra slots"; i.e., Consultants.

AGREEMENT 1: The Executive Committee endorsed, with comment, the PPS's Flow Diagram and draft outline of the Panel Formation Manual.

2. Alternate-450 form

Dr. Anderson introduced the Alternate-450 form (Attachment K) that is designed to gather more data to inform the Panel selection process

Among the comments (and responses) made during the discussion were the following:

- a. The information about research support and advocacy support were merged since they convey similar information about "where people are coming from"/"where their allegiances are".
- b. The information on "ranges" of income, support, etc. is needlessly invasive. The process should be concerned only if the data surpass some threshold value.
- c. It is percentages that are important, as well as the absolute amount.

INSTRUCTION 2: The Executive Committee instructed the PPS to use percentages and thresholds (>\$2500 or >5%), rather than absolute amounts and ranges in the A-450.

d. Income should be defined as the Internal Revenue Service defines income.

e. The form should separate "salary and compensated" for "uncompensated".

f. Part 4: Consulting

For those who work for a consulting firm, they should focus on those contracts in which they are personally involved; cf., the request for information about grants in which the candidate from academe is a Principal Investigator (PI).

INSTRUCTION 3: The Chair asked Dr. Trussell to submit suggested language that would address employees of consulting firms.

g. Obtaining the 450 information

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3. Other matters

Dr. Anderson referred to the issues that Dr. Greer and others raised during the May Executive Committee meeting regarding the SAB review of the dioxin reassessment. He proposed that, having once established Panel Formation procedures, the PPS should contact concerned and informed members of the public and ask them if they that the revised process would have been beneficial in the case of the dioxin review. The issue they would address is the process and opportunity to have their concerns voiced, not whether they think that the outcome would have been any different. Dr. Glaze felt that this could be useful exercise, but not one that would address the concerns completely. He felt that the EC may need to take an additional look at the workings of SAB panels.

VI. Adjourn

Following a vote by the body, Dr. Glaze adjourned meeting at 1:30 PM EST.

Respectfully submitted,

Concurred,

Donald G. Barnes, Ph.D.
EC Designated Federal Officer

William Glaze, Ph.D.
Chair, SAB Executive Committee

ATTACHMENTS

Attachment A -- Sign-in sheet for Ariel Rios Room 6013.

Attachment B -- Agenda for the January 11, 202 EC conference call.

Attachment C -- The December 26, 2001 draft of EEAC's *"Importance of Maintaining the Annual Pollution Abatement and Control [sic] Expenditures (PACE) Survey: An SAB Commentary"*

Attachment D -- Dr. Cummins's written comments on the Commentary

Attachment E -- Dr. Grasso's written comments on the Commentary

Attachment F -- Dr. Johnson's written comments on the Commentary

Attachment G -- Flow diagram

Attachment H -- Tabled presentation of the flow diagram

Attachment I -- Draft outline of the manual

Attachment J -- Draft check list

Attachment K -- Draft Alternate-450 form